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Introduction

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The law under which the sterilization program of North Carolina is administered was enacted by the General Assembly of 1933.<sup>1/</sup> Supplemental legislation has been passed by subsequent legislatures which has increased the effectiveness of the law. The law provides for consent, notice of hearing, and right of appeal. It protects the individual, the petitioner, the physician, and the hospital.

A previous sterilization act was enacted in 1929.<sup>2/</sup> Under this law, 49 persons were sterilized. In February 1933, the North Carolina Supreme Court held that the statute was unconstitutional because there was no provision for notice of hearing or right of appeal.<sup>3/</sup> These deficiencies were corrected through the present law.

In 1919, a law had been enacted <sup>4/</sup> which was apparently intended to serve as a sterilization law although the word "sterilization" did not appear in the text of the act. No record has been found of any operations performed under this statute.

The sterilization program has now been in operation for a little over twenty-five years. During this time the increased knowledge in the field of mental health has revealed many causative factors for mental illness and mental deficiency. Hereditary factors, which are in evidence, take their place among a vast number of other reasons for these disabilities.

In keeping abreast of the expanding knowledge in the field of mental health, the sterilization program has gradually broadened its base. In

- <sup>1/</sup> Article 7, Chapter 35, General Statutes of North Carolina.
- <sup>2/</sup> Chapter 34, Public Laws of North Carolina, Session 1929.
- <sup>3/</sup> Brewer v. Valk, 204 N. C. 186, 167 S. E. 638 (1933).
- <sup>4/</sup> Chapter 281, Public Laws of North Carolina, Session 1919.